



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
4400 PGA BOULEVARD, SUITE 500
PALM BEACH GARDENS, FLORIDA 33410

REPLY TO
ATTENTION OF

JUN 29 2009

Palm Beach Gardens Regulatory Section

PUBLIC NOTICE

Permit Application No. SAJ-2009-01649 (IP-EGR)

TO WHOM IT MAY CONCERN: This district has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. §1344) and Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. §403) as described below:

APPLICANT: Palm Beach County Board of County Commissioners
Department of Environmental Resources Management
c/o Robert Robbins, Deputy Director
2300 North Jog Road, 4th Floor
West Palm Beach, Florida 33411

WATERWAY & LOCATION: The project is located within waters of the United States along the eastern shore of the Intracoastal Waterway (ICW) at the Jupiter Ridge Natural Area (Sections 6, 7, 8, 17, 18, Township 41 South, Range 43 East), Town of Jupiter, in Palm Beach County, Florida.

Directions to the site are as follows: Take I-95 to Indiantown/Jupiter Exit, go east to US-1. Turn South on US-1. Continue South on US-1 until you reach Jupiter Ridge Natural Area.

LATITUDE & LONGITUDE: Latitude 26.9119° North
Longitude 80.0790° West

PROJECT PURPOSE:

Basic: The basic project purpose is shoreline stabilization and wetland restoration.

Overall: The overall project purpose is to construct breakwaters and plant native estuarine vegetation along the shoreline of the ICW at the Jupiter Ridge Natural Area in Palm Beach County.

PROPOSED WORK: The applicant proposes to place limestone boulders to construct 5,600 linear feet of oyster reef/breakwater segments with an elevation of 1' above mean high water and plant 1.22 acres with native estuarine vegetation. Work is to be conducted from barges.

Avoidance and Minimization Information: The applicant has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment:

Applicant has designed the project to avoid seagrass and mangrove impacts.

Compensatory Mitigation: The applicant has provided the following explanation why compensatory mitigation should not be required:

The purpose of the project is to protect and enhance the aquatic environment along the shoreline of the ICW. The breakwaters would have no direct impact on seagrasses, and a stabilized shoreline with plantings would result in a net environmental benefit.

EXISTING CONDITIONS: Jupiter Ridge Natural Area is a park with a nature trail and boardwalk. The project site consists of a vegetated shoreline adjacent to the ICW which is experiencing substantial erosion. The shoreline contains mangroves. The submerged bottom within the project's footprint was barren at the time of the County's survey. The surrounding bottom consists of four types of seagrass: shoal grass (*Halodule wrightii*), turtle grass (*Thalassia testudinum*), paddle grass (*Halophila decipiens*) and Johnson's seagrass (*Halophila johnsonii*) with a coverage of 5% or less. The uplands consist of scrub oak habitat.

ENDANGERED SPECIES: The U.S. Army Corps of Engineers (Corps) has determined the proposed project may affect, but is not likely to adversely affect the threatened Johnson's seagrass (*Halophila johnsonii*), the endangered smalltooth sawfish (*Pristis pectinata*), or the endangered/threatened swimming sea turtles (*Chelonia mydas*, *Eretmochelys imbricata*, *Lepidochelys kempii*, *Dermochelys coriacea*, *Caretta caretta*). The project would not result in an adverse modification of any designated critical habitat. The Corps will request National Marine Fisheries Service's concurrence with this determination pursuant to Section 7 of the Endangered Species Act.

The Corps has determined the proposed project may affect, but is not likely to adversely affect the endangered West Indian manatee (*Trichechus manatus*), and would not result in an adverse modification of its designated critical habitat. The Corps has received the U.S. Fish and Wildlife Service's concurrence with this determination pursuant to Section 7 of the Endangered Species Act through the use of the 2008 Manatee Key.

The Corps has determined the proposal would have no effect on any other listed threatened or endangered species or designated critical habitat.

ESSENTIAL FISH HABITAT (EFH): This notice initiates consultation with the National Marine Fisheries Service on EFH as required by the Magnuson-Stevens Fishery Conservation and Management Act 1996. The proposal would impact approximately 1.14 acres of barren sand bottom utilized by various life stages of penaeid shrimp, blue crab, spiny lobster, snapper/grouper complex, Sciaenids, and reef fish. During a seagrass survey conducted in August 2008, the applicant observed four species of seagrass, including shoal grass, turtle grass, paddle grass and the threatened Johnson's seagrass. The limits of ± 1.93 acres of sparse, patchy seagrass habitat were delineated and are included on the attached plans. Seagrass coverage ranged from 1% to 5% in the areas designated on the plans as seagrass. No impacts to seagrass or mangroves are proposed.

Our initial determination is that the proposed action would not have a substantial adverse impact on EFH or Federally managed fisheries in the Intracoastal Waterway. Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the National Marine Fisheries Service.

NOTE: This public notice is being issued based on information furnished by the applicant. This information has not been verified or evaluated to ensure compliance with laws and regulation governing the regulatory program. The jurisdictional area has been verified by Corps personnel.

AUTHORIZATION FROM OTHER AGENCIES: Water Quality Certification may be required from the Florida Department of Environmental Protection and/or one of the state Water Management Districts.

Comments regarding the application should be submitted in writing to the District Engineer at the above address within 21 days from the date of this notice.

If you have any questions concerning this application, you may contact Eric Reusch at the letterhead address, by electronic mail at Eric.G.Reusch@usace.army.mil, or by telephone at 561-472-3529.

The decision whether to issue or deny this permit application will be based on the information received from this public notice and the evaluation of the probable impact to the aquatic environment. This is based on an analysis of the applicant's avoidance and minimization efforts for the project, as well as the compensatory mitigation proposed.

Additional Mailing Labels
for
SAJ-2009-01649 (IP-EGR)

NMFS, PRD

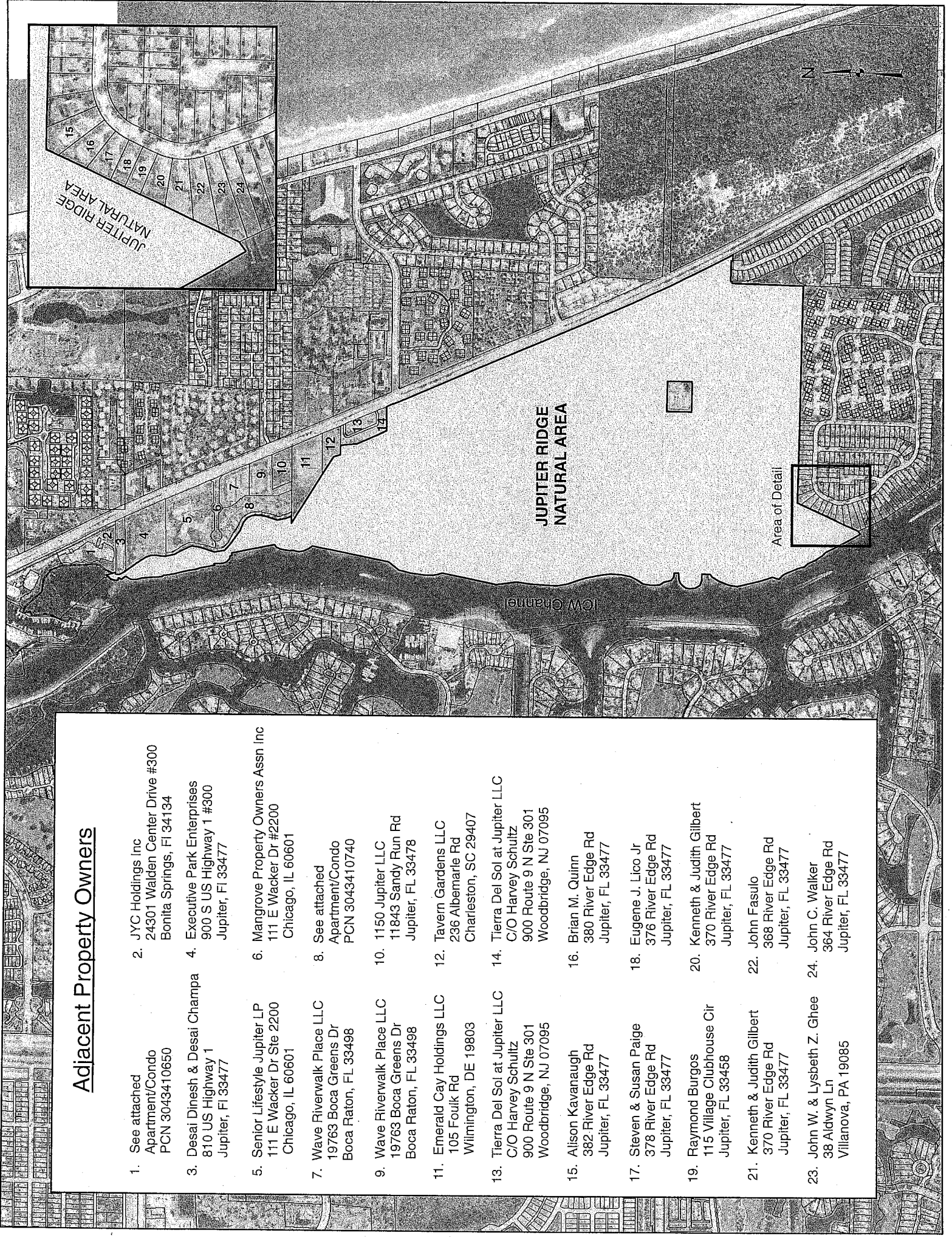
NMFS, HCD

Jeffrey Buck, Palm Beach County ERM, JBuck@co.palm-beach.fl.us

Adjacent Property Owners - See Attached List.

Adjacent Property Owners

1. See attached
Apartment/Condo
PCN 3043410650
2. JYC Holdings Inc
24301 Walden Center Drive #300
Bonita Springs, FL 34134
3. Desai Dinesh & Desai Champa
810 US Highway 1
Jupiter, FL 33477
4. Executive Park Enterprises
900 S US Highway 1 #300
Jupiter, FL 33477
5. Senior Lifestyle Jupiter LP
111 E Wacker Dr Ste 2200
Chicago, IL 60601
6. Mangrove Property Owners Assn Inc
111 E Wacker Dr #2200
Chicago, IL 60601
7. Wave Riverwalk Place LLC
19763 Boca Greens Dr
Boca Raton, FL 33498
8. See attached
Apartment/Condo
PCN 3043410740
9. Wave Riverwalk Place LLC
19763 Boca Greens Dr
Boca Raton, FL 33498
10. 1150 Jupiter LLC
11843 Sandy Run Rd
Jupiter, FL 33478
11. Emerald Cay Holdings LLC
105 Foulk Rd
Wilmington, DE 19803
12. Tavern Gardens LLC
236 Albemarle Rd
Charleston, SC 29407
13. Tierra Del Sol at Jupiter LLC
C/O Harvey Schultz
900 Route 9 N Ste 301
Woodbridge, NJ 07095
14. Tierra Del Sol at Jupiter LLC
C/O Harvey Schultz
900 Route 9 N Ste 301
Woodbridge, NJ 07095
15. Alison Kavanaugh
382 River Edge Rd
Jupiter, FL 33477
16. Brian M. Quinn
380 River Edge Rd
Jupiter, FL 33477
17. Steven & Susan Paige
378 River Edge Rd
Jupiter, FL 33477
18. Eugene J. Lico Jr
376 River Edge Rd
Jupiter, FL 33477
19. Raymond Burgos
115 Village Clubhouse Cir
Jupiter, FL 33458
20. Kenneth & Judith Gilbert
370 River Edge Rd
Jupiter, FL 33477
21. Kenneth & Judith Gilbert
370 River Edge Rd
Jupiter, FL 33477
22. John Fasulo
368 River Edge Rd
Jupiter, FL 33477
23. John W. & Lysbeth Z. Ghee
38 Aldwyn Ln
Villanova, PA 19085
24. John C. Walker
364 River Edge Rd
Jupiter, FL 33477



IMPACT ON NATURAL RESOURCES: Preliminary review of this application indicates that an Environmental Impact Statement will not be required. Coordination with US Fish and Wildlife Service, Environmental Protection Agency (EPA), the National Marine Fisheries Services, and other Federal, State, and local agencies, environmental groups, and concerned citizens generally yields pertinent environmental information that is instrumental in determining the impact the proposed action will have on the natural resources of the area. By means of this notice, we are soliciting comments on the potential effects of the project on threatened or endangered species or their habitat.

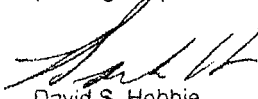
IMPACT ON CULTURAL RESOURCES: Review of the latest published version of the National Register of Historic Places indicates that no registered properties, or properties listed as eligible for inclusion therein, are located at the site of the proposed work. Presently, unknown archaeological, scientific, prehistorical, or historical data may be lost or destroyed by the work to be accomplished.

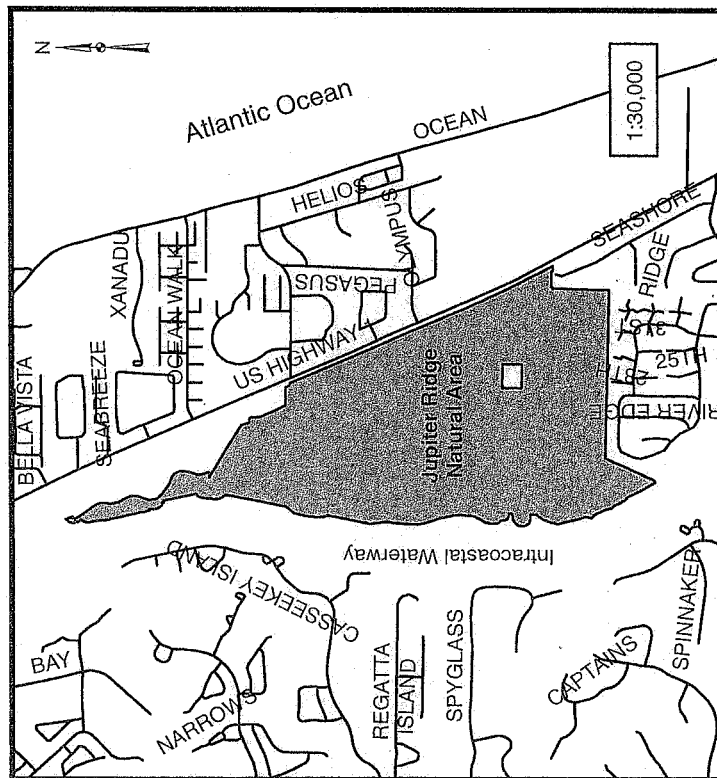
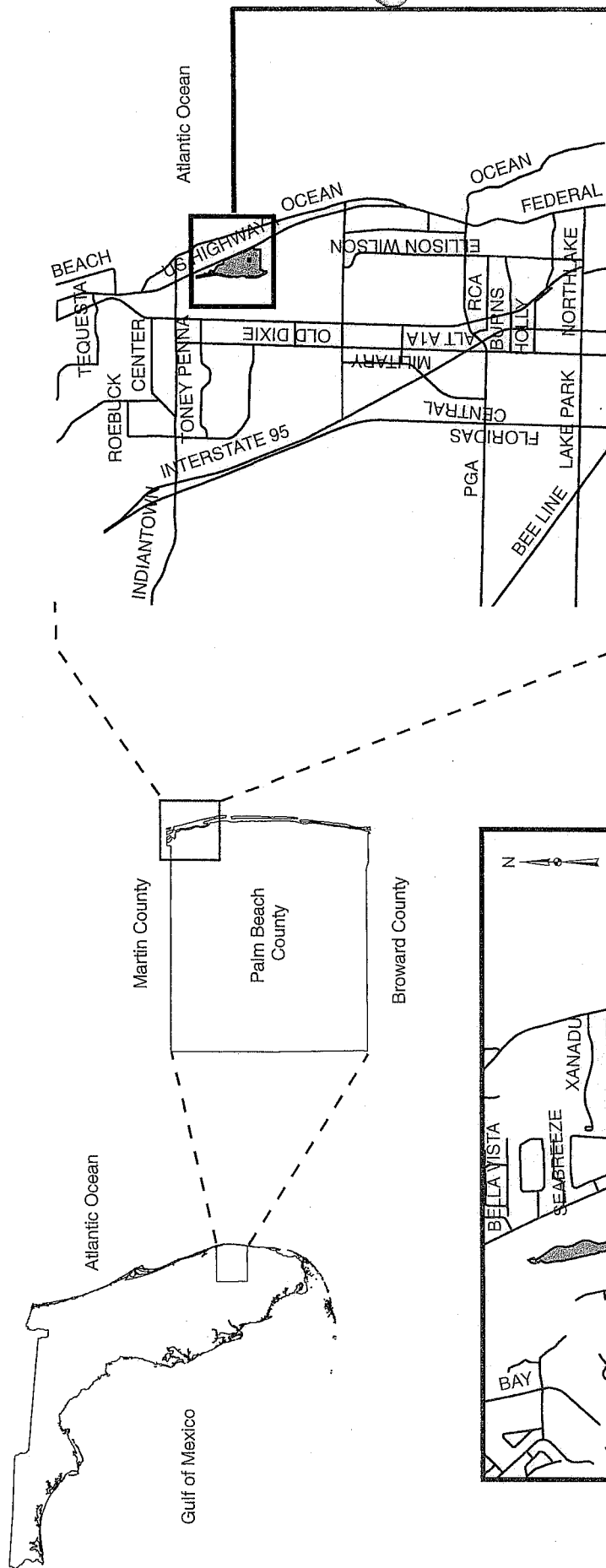
EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including cumulative impacts thereof; among these are conservation, economics, esthetics, general environmental concerns, wetlands, historical properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act of the criteria established under authority of Section 102(a) of the Marine, Protection, Research, and Sanctuaries Act of 1972. A permit will be granted unless its issuance is found to be contrary to the public interest.

The US Army Corps of Engineers (Corps) is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make or deny this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

COASTAL ZONE MANAGEMENT CONSISTENCY: In Florida, the State approval constitutes compliance with the approved Coastal Zone Management Plan. In Puerto Rico, a Coastal Zone Management Consistency Concurrence is required from the Puerto Rico Planning Board. In the Virgin Islands, the Department of Planning and Natural Resources permit constitutes compliance with approved Coastal Zone Management Plan.

REQUEST FOR PUBLIC HEARING: Any person may request a public hearing. The request must be submitted in writing to the District Engineer within the designated comment period of the notice and must state the specific reasons for requesting the public hearing.


David S. Hobbie
Regulatory Division



COF APPL # SAT-2009-1649
 CRP / CFVND # _____
 DATE _____
 DRAWING PAGE 1 OF 17

Legend

 Jupiter Ridge Natural Area

Figure 1
Jupiter Ridge Natural Area
Shoreline Restoration Project
Location and Vicinity Map



Palm Beach County
 Department of Environmental Resources Management
 2300 North Jog Road, 4th Floor
 West Palm Beach, FL 33411
 (561) 233-2400

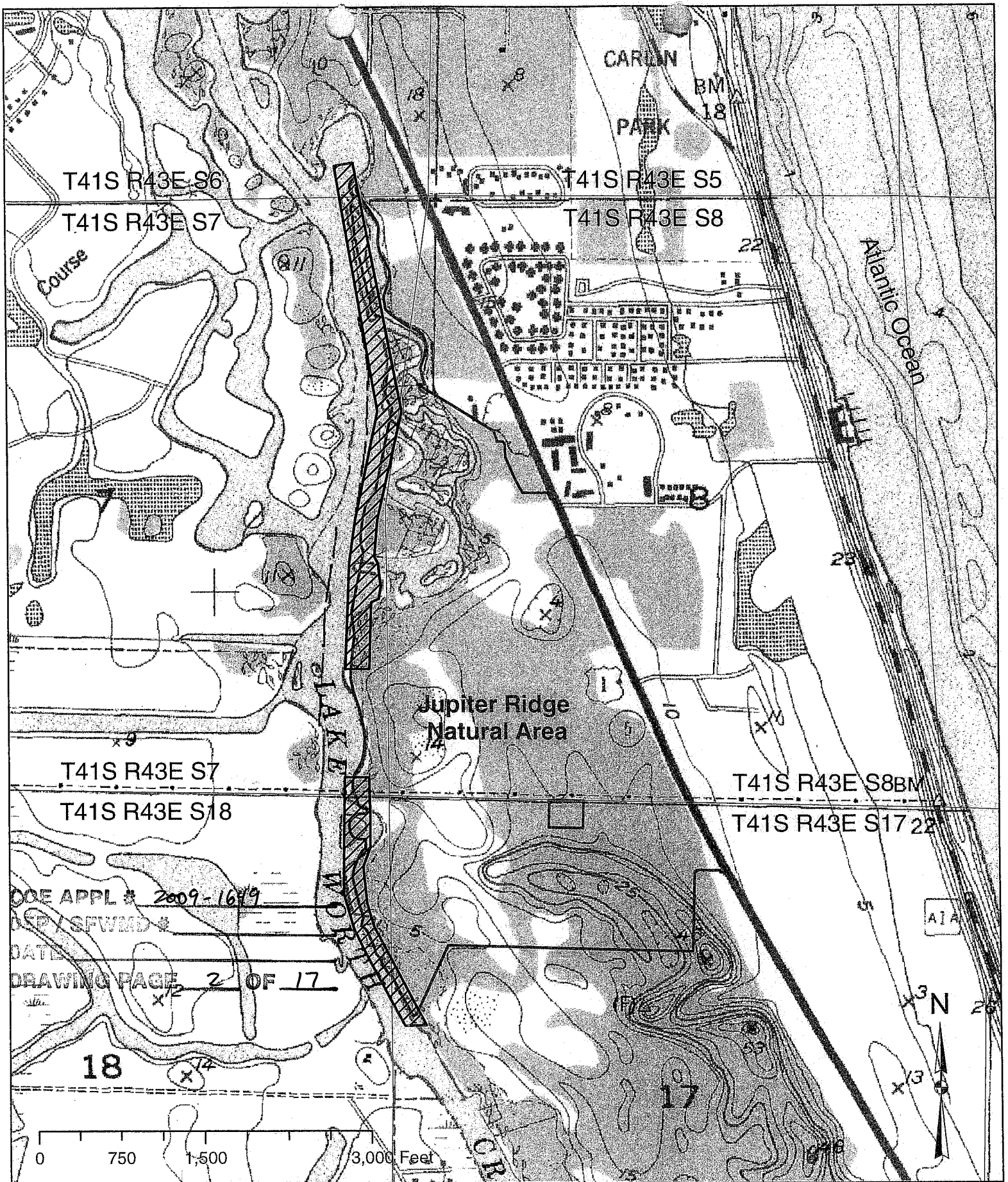




Figure 2
Jupiter Ridge Natural Area
Shoreline Restoration Project
USGS Quadrangle Map

Legend

-  General Project Area
-  Jupiter Ridge Natural Area



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JUPITER RIDGE NATURAL AREA

2008 Aerial Photography

Figure 4a
Shoreline Restoration Project
Plan View

Legend

- == Elevation Transects
- ▭ Limits of Seagrass
- ▨ Planting Areas
- ▨ Breakwaters
- ICW Channel Edge
- 62.5 ft from Channel Edge

0 500 1,000 2,000 Feet



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JUPITER RIDGE NATURAL AREA

2008 Aerial Photography

Figure 4b
Shoreline Restoration Project
Zone 1 Plan View

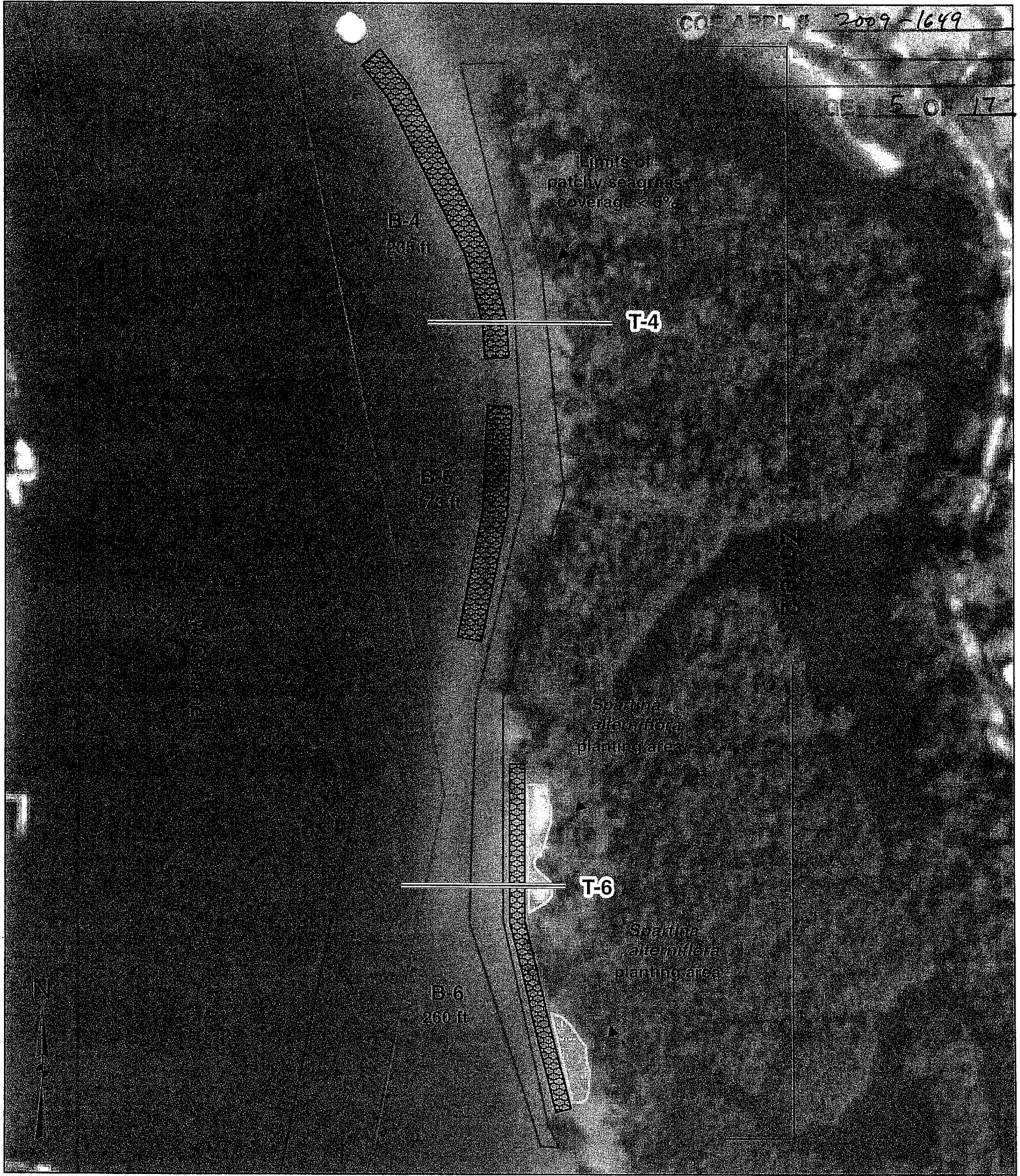
Legend

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| Elevation Transects | Planting Areas | ICW Channel Edge |
| Limits of Seagrass | Breakwaters | 62.5 ft Channel Edge |

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JUPITER RIDGE NATURAL AREA

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Figure 4c
Shoreline Restoration Project
Zone 2 Plan View

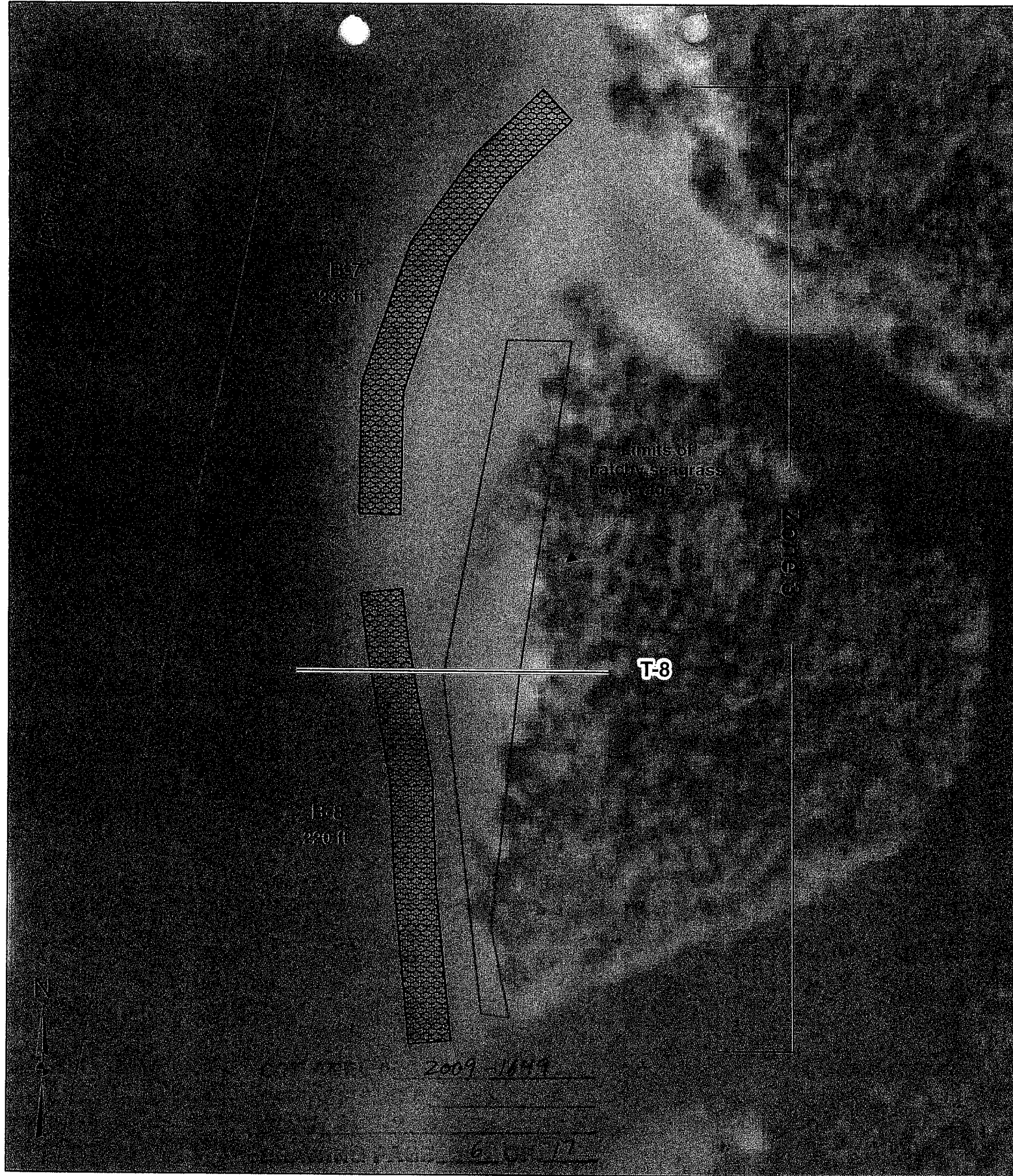
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| Elevation Transects | Planting Areas | ICW Channel Edge |
| Limits of Seagrass | Breakwaters | 62.5 ft Channel Edge |

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**JUPITER RIDGE
NATURAL AREA**

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Figure 4d
Shoreline Restoration Project
Zone 3 Plan View

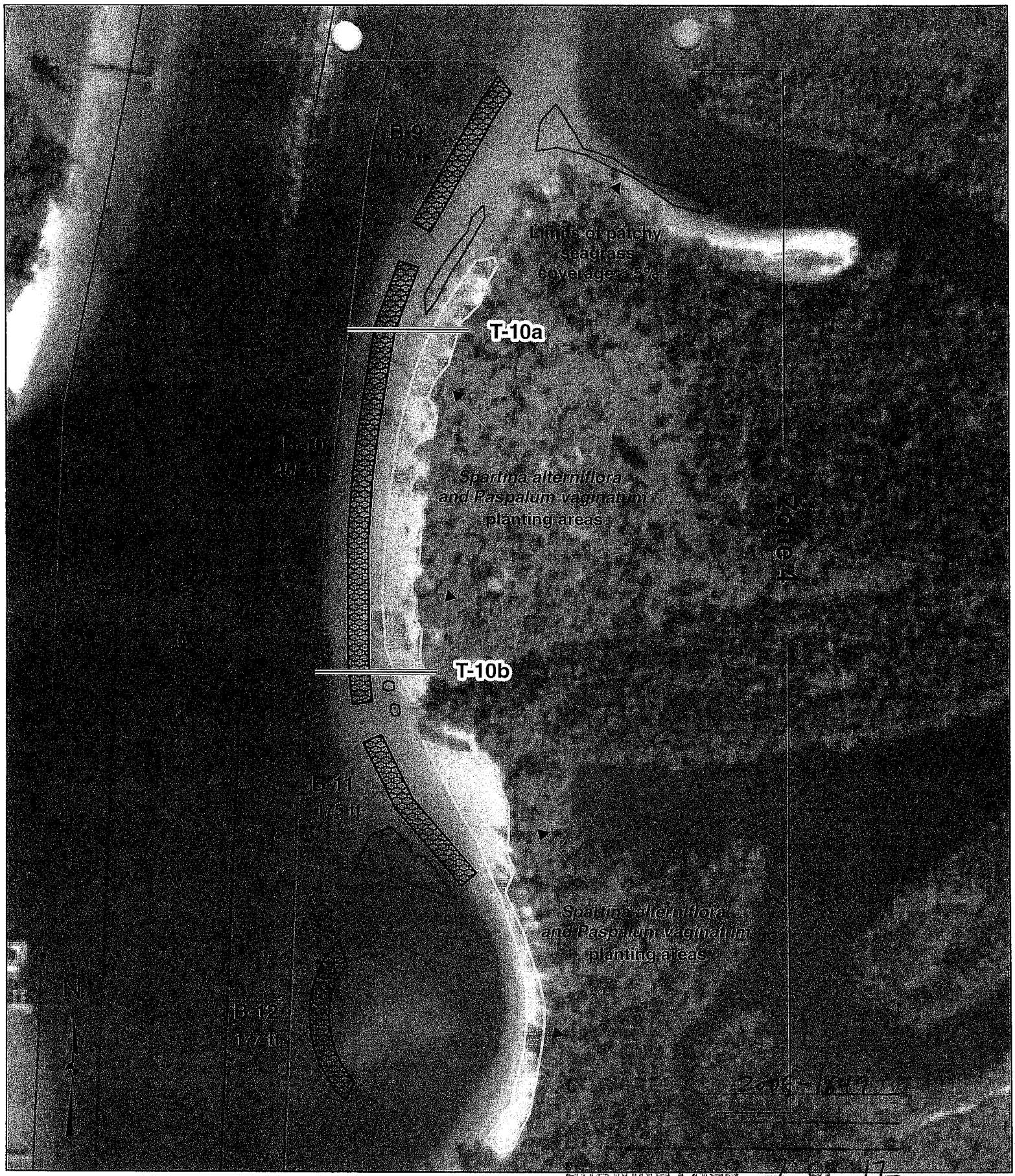
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| Elevation Transects | Planting Areas | ICW Channel Edge |
| Limits of Seagrass | Breakwaters | 62.5 ft Channel Edge |

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JUPITER RIDGE NATURAL AREA

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Figure 4e
Shoreline Restoration Project
Zone 4 Plan View

Legend

- Elevation Transects
- Limits of Seagrass
- Planting Areas
- Breakwaters
- ICW Channel Edge
- 62.5 ft Channel Edge



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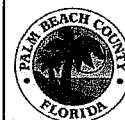
**JUPITER RIDGE
NATURAL AREA**
2008 Aerial Photography

Figure 4f
Shoreline Restoration Project
Zone 5 Plan View

Legend

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| | Elevation Transects | | Planting Areas | | ICW Channel Edge |
| | Limits of Seagrass | | Breakwaters | | 62.5 ft Channel Edge |

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JUPITER RIDGE NATURAL AREA

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Figure 4g
Shoreline Restoration Project
Zone 6 Plan View

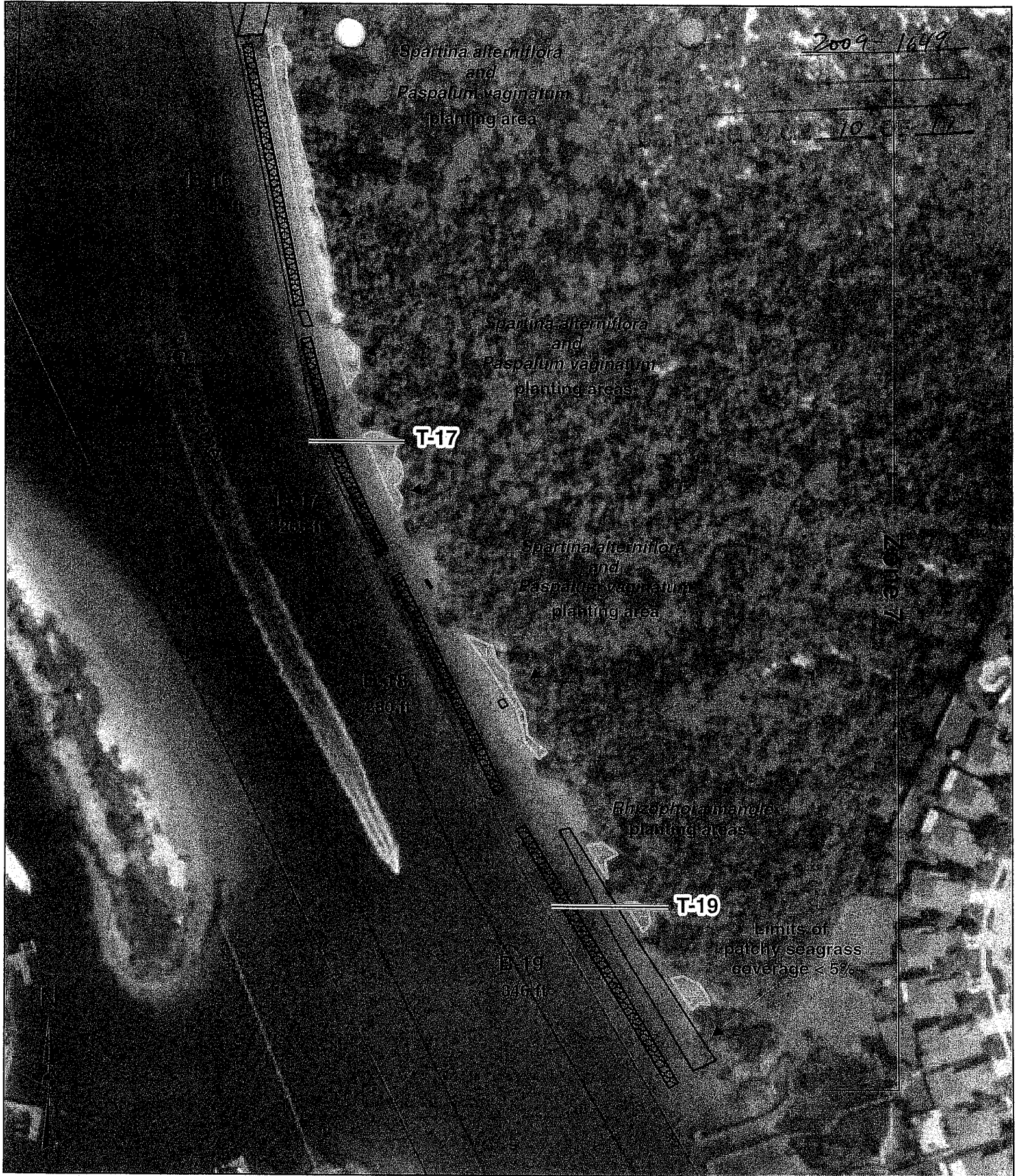
Legend

- ==== Elevation Transects
- ==== Planting Areas
- ==== ICW Channel Edge
- Limits of Seagrass
- ▨ Breakwaters
- ==== 62.5 ft Channel Edge

0 75 150 300 Feet



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JUPITER RIDGE NATURAL AREA

2008 Aerial Photography

Figure 4h
Shoreline Restoration Project
Zone 7 Plan View

Legend

- ==== Elevation Transects
- Limits of Seagrass
- ▨ Planting Areas
- ▨ Breakwaters
- ICW Channel Edge
- 62.5 ft Channel Edge

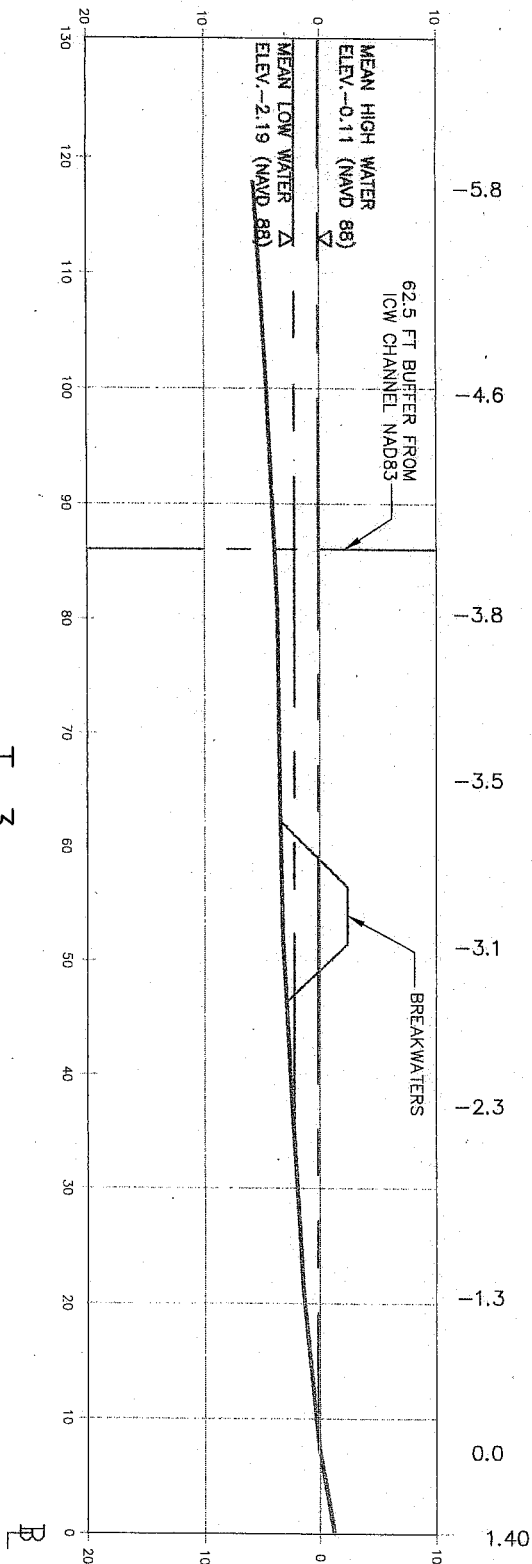
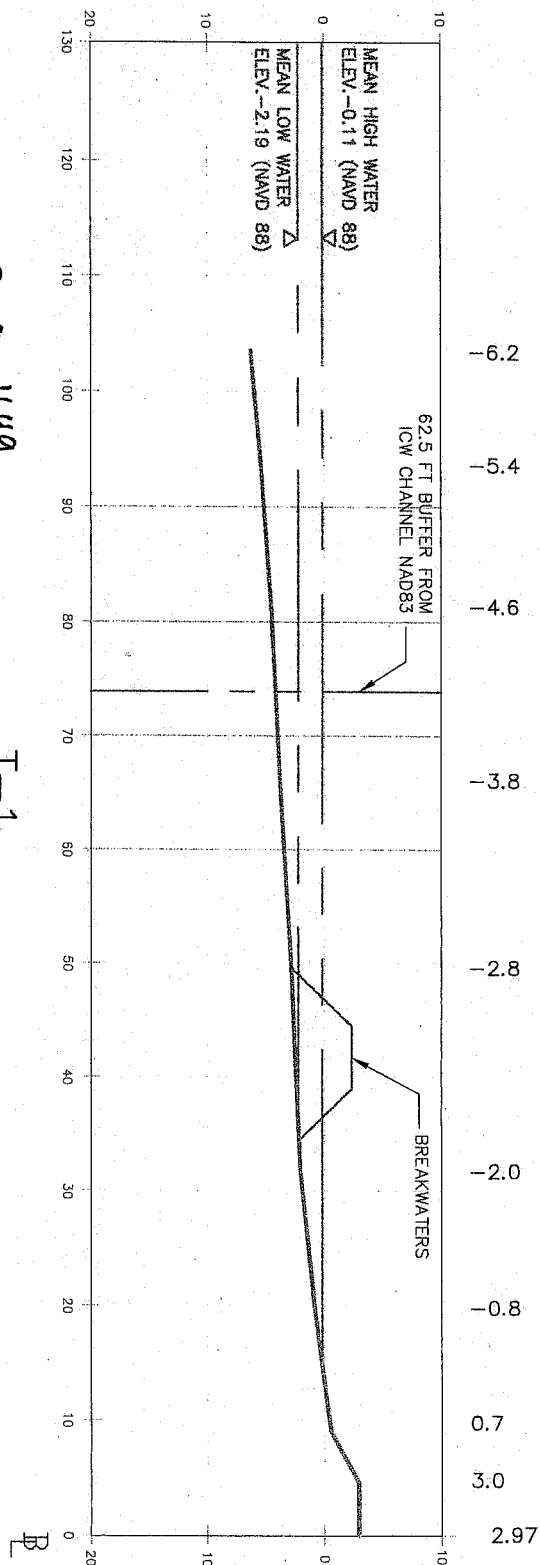
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Department of
Environmental Resources Management
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(561) 233-2400

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I-1



I-3

FIGURE #5

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| Sheet T-1 & T-3 OF Project No. | JUPITER RIDGE NATURAL AREA CROSS SECTIONS | SEAL | Scale: AS SHOWN CT Drawn H.B. Checked J.B. Date 02/20/2009 Field Book No. | Revision By Date | PALM BEACH COUNTY DEPARTMENT OF ENVIRONMENTAL RESOURCES MANAGEMENT 2300 NORTH JOG ROAD, 4th FLOOR WEST PALM BEACH, FLORIDA 33411 (561) 233-2400 |
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 COC / SPWMD # _____
 DATE _____
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T-4

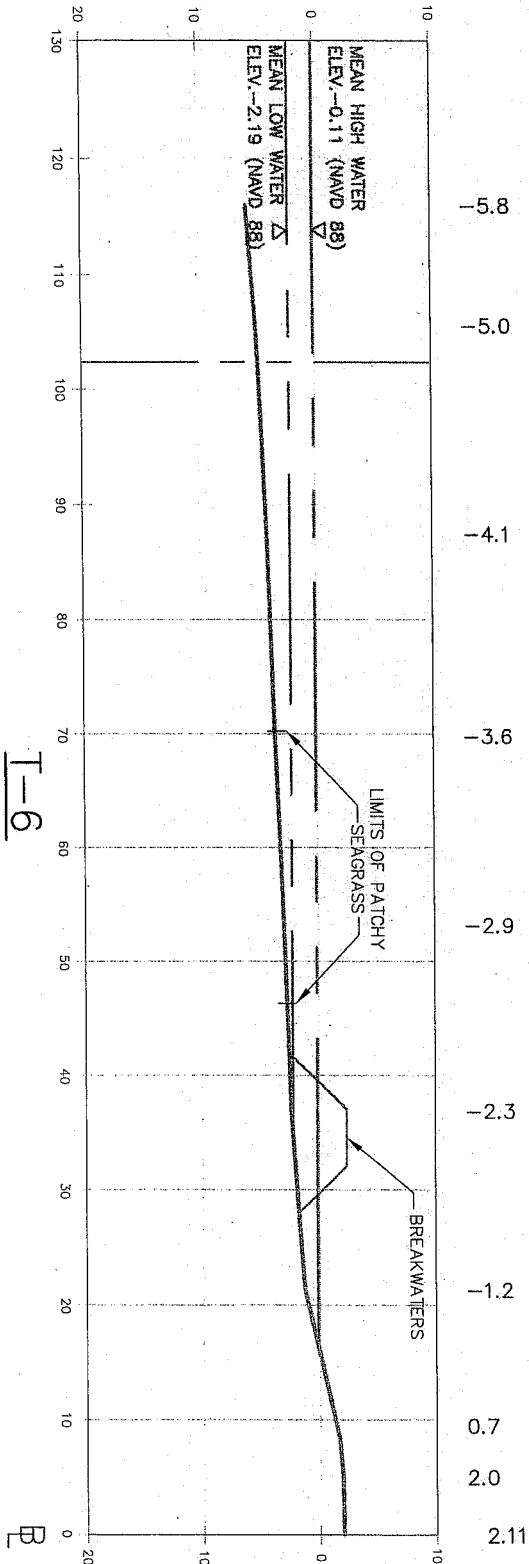
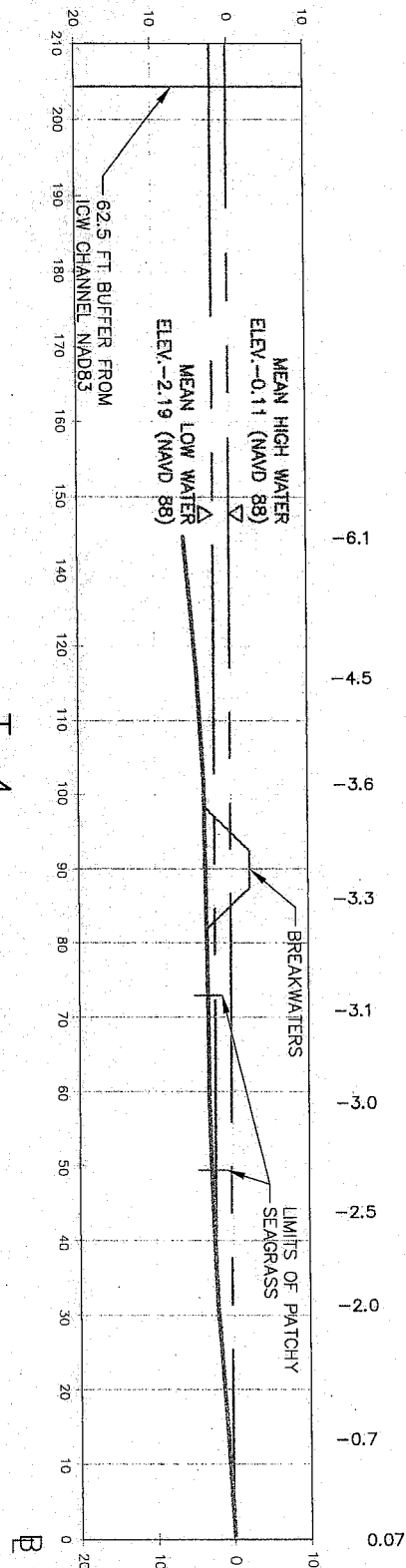


FIGURE #6

#32070 5/1/09
 Draft to Summer

SEAL

| No. | Revision | By | Date |
|-----|----------------|----|------|
| 1 | AS SHOWN | | |
| 2 | Approved | | |
| 3 | Drawn | | |
| 4 | Checked | | |
| 5 | Date | | |
| 6 | Field Book No. | | |



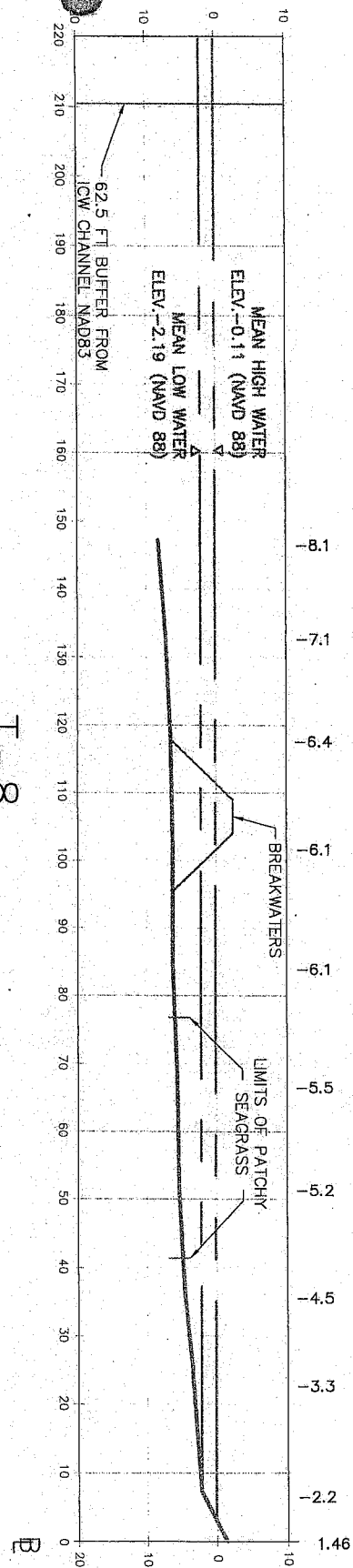
PALM BEACH COUNTY
 DEPARTMENT OF
 ENVIRONMENTAL RESOURCES MANAGEMENT
 2300 NORTH JOG ROAD, 4th FLOOR
 WEST PALM BEACH, FLORIDA 33411
 (561) 233-2400

JUPITER RIDGE
 NATURAL AREA

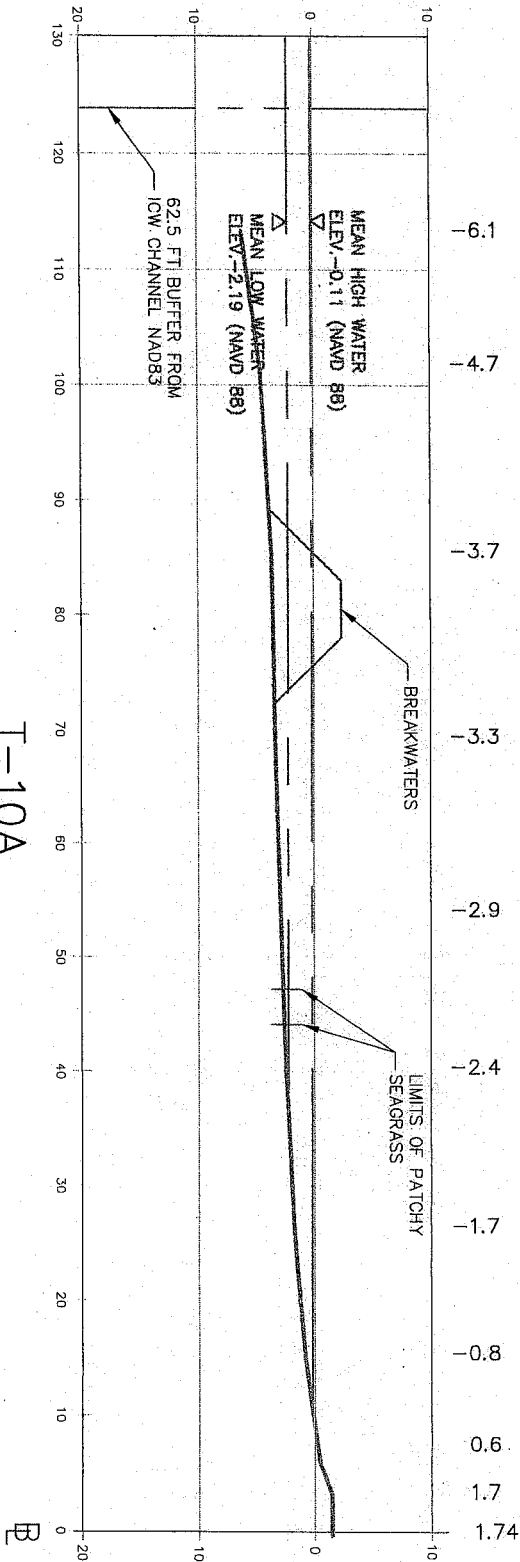
CROSS SECTIONS

Sheet
 T-4 & T-6
 of
 Project No.

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 DRAWING PAGE 13 OF 17



I-8



I-10A

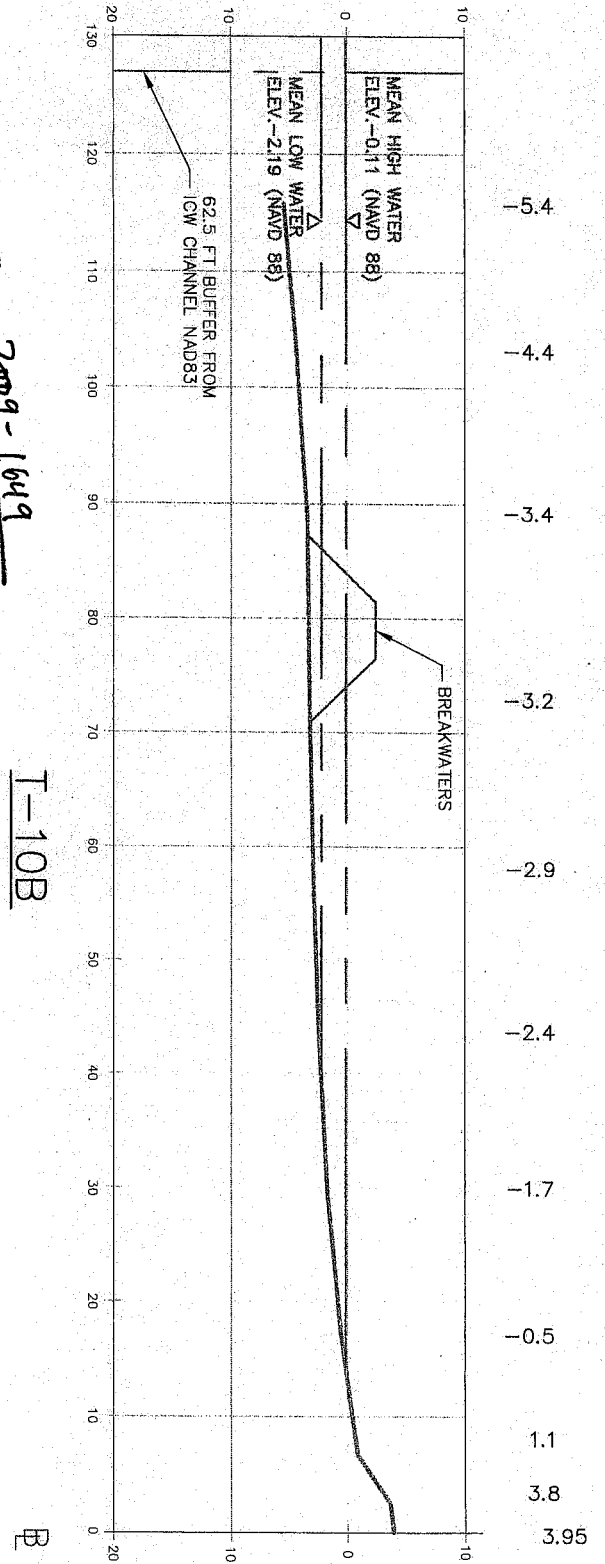
FIGURE #7

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| Sheet T-8 & T-10a OF Project No. | JUPITER RIDGE NATURAL AREA CROSS SECTIONS | SEAL | Project AS SHOWN Approved Drawn Checked Date Field Book No. | Revision By Date | PALM BEACH COUNTY DEPARTMENT OF ENVIRONMENTAL RESOURCES MANAGEMENT 2300 NORTH JOG ROAD, 4th FLOOR WEST PALM BEACH, FLORIDA 33411 (561) 233-2400 |
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32090
 5/1/09
 Clinton to Warner

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 DATE 14 OF 17
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T-10B



-5.4
-4.8
-4.2
-3.9
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T-13

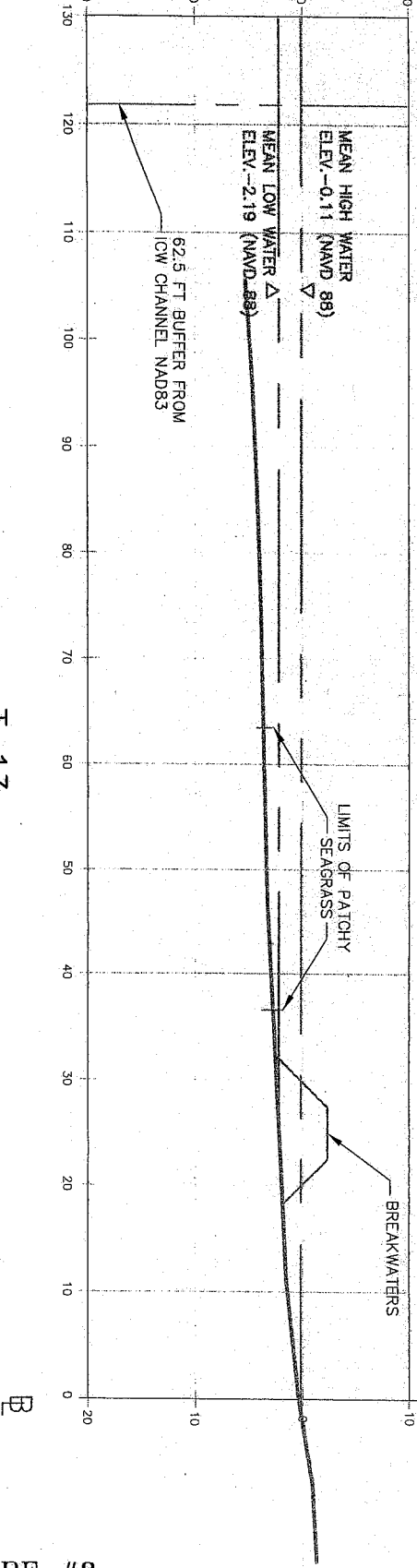
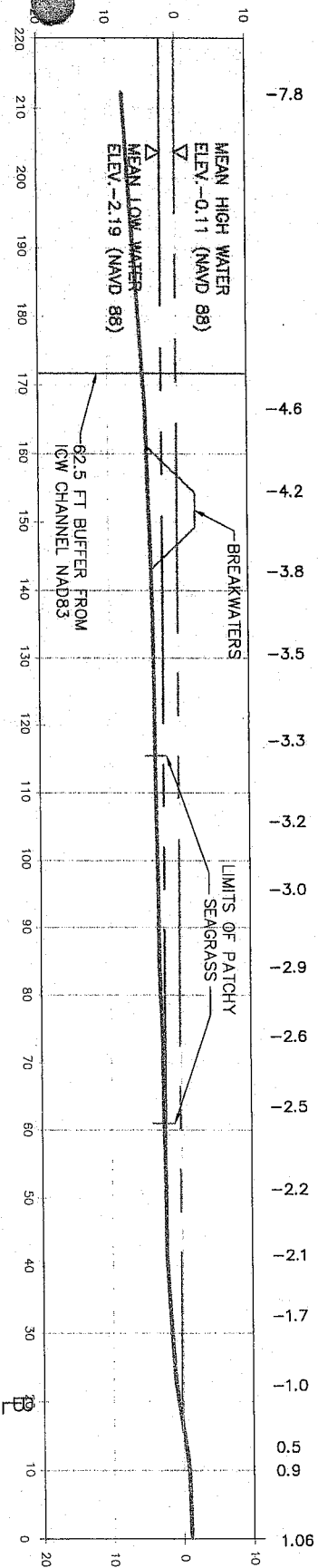


FIGURE #8

Update to Shmoo
 #32070 5/1/09

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I-15

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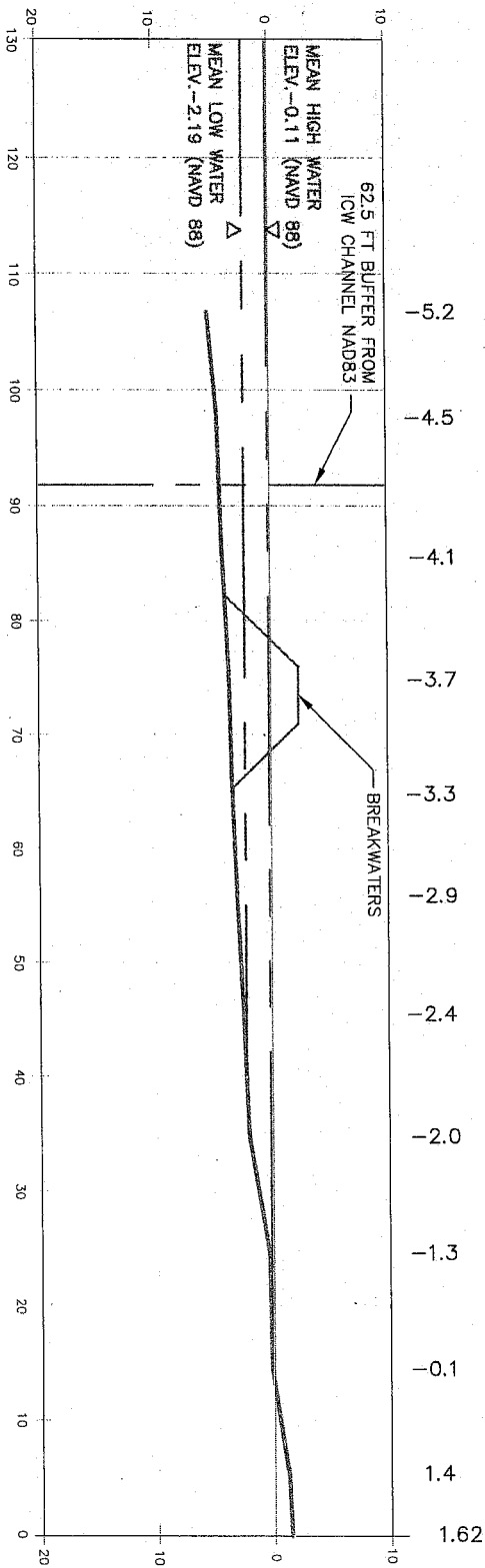


FIGURE #9

T-17

Clinton to Sherm
 #32070 5/1/09

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| Sheet | T-15 & T-17 |
| Project No. | |

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| Project | JUPITER RIDGE NATURAL AREA |
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| | DEPARTMENT OF |
| | ENVIRONMENTAL RESOURCES MANAGEMENT |
| | 2300 NORTH JOG ROAD, 4th FLOOR |
| | WEST PALM BEACH, FLORIDA 33411 |

#32070 5/1/09
Walter W. Shuman

COT APPL. # 2809-1649
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 DATE _____
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T-19

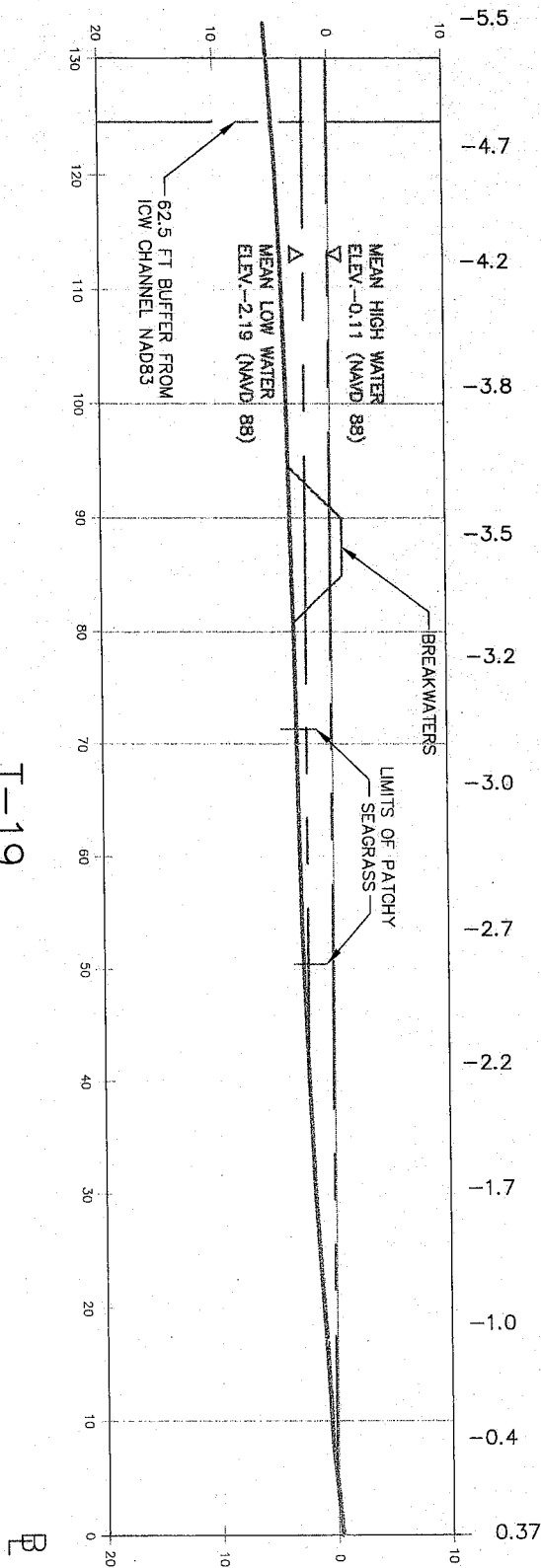
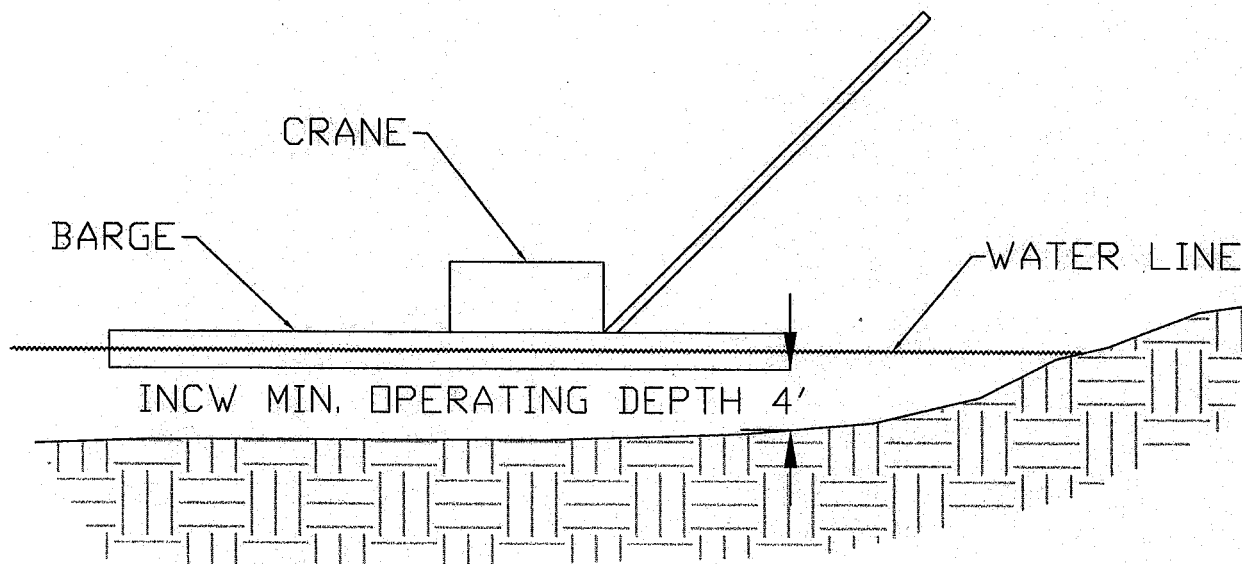


FIGURE #10

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| Project No. | Sheet T-19 DR | Project | | Scale | No. | Revision | By | Date |
| | | JUPITER RIDGE NATURAL AREA | | | | | | |
| CROSS SECTIONS | | SEAL | AS SHOWN | | Approved | Checked | Dated | Field Book No. |
| | | | MJS | | 02/20/2009 | | | |


 PALM BEACH COUNTY
 DEPARTMENT OF
 ENVIRONMENTAL RESOURCES MANAGEMENT
 2300 NORTH JOG ROAD, 4th FLOOR
 WEST PALM BEACH, FLORIDA 33411
 (561) 233-2400




TYPICAL SHALLOW-DRAFT CONSTRUCTION BARGE
N.T.S

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FIGURE 11

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| | Approved: JB Drawn: JH Checked: JH Date: 4/29/09 Field Book No. | | | | | | |
| SHORELINE RESTORATION PROJECT | |  PALM BEACH COUNTY DEPARTMENT OF ENVIRONMENTAL RESOURCES MANAGEMENT 2300 NORTH JOG ROAD, 4th FLOOR WEST PALM BEACH, FLORIDA 33411 (601) 293-2400 | | | | | |